

**Board of Selectmen's Minutes**  
**March 1, 2007**  
**Harpswell Town Office**  
Approved March 8, 2007

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**Selectmen Present:** Amy R. Haible, J. Katherine Chatterjee and Chairman Samuel W. Alexander

**Staff Present:** Kristi K. Eiane, Town Administrator; Terri Sawyer, Deputy Town Administrator; William Wells, Code Enforcement Officer and Jim Hays, Harbormaster

**Call to Order and Pledge of Allegiance:** The meeting was called to order by Chairman Alexander at 6:30 p.m. with the Pledge of Allegiance. The meeting was videotaped and broadcast live on Harpswell Community Television.

**1. Adoption of the Agenda:** Selectman Chatterjee moved, seconded by Selectman Haible to amend the agenda by making item 5 be item 7 and make item 7 be item 5; motion passed 3-0. Chairman Alexander moved, seconded by Selectman Haible to adopt the agenda as amended; motion passed 3-0.

**2. Town Administrator's Report:** Administrator Eiane reminded everyone of Town Meeting scheduled for March 10 with the business meeting beginning at 10:00 a.m. Administrator Eiane displayed the 2006 Town Report and announced people should have reports in their mail starting Saturday. Administrator Eiane encouraged everyone to review this year's warrant (available in the Town Report and online) as there are many items for consideration. Administrator Eiane announced that Tuesday morning, Brian Whitney, of Senator Snowe's office, is scheduled to update the Board with regard to the pipeline.

**3. Selectmen's Announcements:** Chairman Alexander announced the Board attended two hearings this week;

1. Monday night at Harpswell Islands School for the secret ballot items and Military Redevelopment Zone and
2. Tuesday night at the Town Office regarding proposed land use ordinance amendments with the Planning Board.

Chairman Alexander stated that both hearings were very low in attendance and he encouraged everyone to review the warrant to be prepared for Town Meeting. Selectman Haible urged people to pick up the warrant attachments and ask any questions of Town staff to be prepared for Town Meeting. Chairman Alexander stated that the Board held an Assessor's meeting on Wednesday for abatement requests.

**4. Old Business:** There was no old business discussed.

**5. Sign Annual Town Meeting Warrant:** Administrator Eiane requested the Board adopt the restructured language in article 32 (To see if the Town will vote to participate in a multijurisdictional Pine Tree Development Zone program entitled the Midcoast Military Redevelopment Zone and to authorize the Board of Selectmen to exercise all such authority as is necessary and reasonable to implement such program). Selectman Haible moved, seconded by Chairman Alexander to adopt article 32; motion passed 3-0. Chairman Alexander moved, seconded by Selectman Chatterjee to adopt the warrant; motion passed 3-0.

**6. Consider Bids for Unknown Parcels:** Chairman Alexander stated the Board met at 5:00 p.m. to view and discuss the bids. Chairman Alexander moved, seconded by Selectman Chatterjee to award tax map 16, lot 115 to John and Antoinette O'Brien for \$35,648.70; motion passed 3-0. Selectman Haible noted this was the highest bid and the people have long standing ties to Harpswell. Chairman Alexander moved, seconded by Selectman Haible to award tax map 29, lot 35 to the "Edwards multiple family group" (Edwards, Batement, Hart and Owens) for \$40,000 as it was the highest bid; motion passed 3-0. Chairman Alexander moved, seconded by Selectman Haible to award tax map 31, lot 33 to Bonnie Bailey, AKA Tad Forest Heart, for \$9,880; motion passed 3-0. Selectman Haible noted this was not the highest bid but that Ms. Bailey has been a long time resident and provided the Board a nice bid explanation. Chairman Alexander moved, seconded by Selectman Haible to award tax map 31, lot 43 to Armand Bernier for \$27,510; motion passed 3-0. Chairman Alexander moved, seconded by Selectman Chatterjee to award tax map 62, lot 170 to Gordon and Beth Bell for

\$20,000 as that was the highest bid; motion passed 3-0. Selectman Chatterjee stated the Board did the best it could and apologized for not being able to help everyone.

## 7. Wharf Applications

- **Varujan Ozcan, Map 16, Lot 346, 25 Windsor Lane, Tabled from February 22, 2007 meeting:** Selectman Chatterjee moved, seconded by Selectman Haible to remove this item from the table for discussion; motion passed 3-0. Chairman Alexander stated that this item was tabled for decision not for more testimony and he would allow five minutes per person to speak tonight. Jim Clemons spoke against this application stating the length should be shortened as there is not as much land between the high and low tides as the application states. Ben Wallace, builder, stated the length could not be shortened due to the location of eel grass and boulders. Mr. Wallace explained this wharf system has been revised multiple times to accommodate Mr. Clemons, and with the proposed location being more than 70 feet from Mr. Clemons, there would be no interference with Mr. Clemons. Joe Leblanc, representative for Mr. Ozcan, stated this proposal was designed so as not to interfere with Mr. Clemons even with Mr. Clemons' floats and moorings in front of Mr. Ozcan's property. Chairman Alexander questioned the Harbormaster, Jim Hays, if there are moorings that infringe on Mr. Ozcan riparian rights. Jim Hays responded that there are two float moorings and one boat mooring that do and they could be relocated if they affect Mr. Ozcan. Mr. Hays stated that the three float moorings of Mr. Clemons are not currently approved. Selectman Haible stated she was not pleased to find she did not have all the information last week or that a recreational person's use interfered with a commercial fisherman. Selectman Chatterjee agreed. Mr. Ozcan stated that he would not store his 40-foot boat at the float; it would be on a mooring. Chairman Alexander moved to deny this application as this proposal might interfere with navigation having to do with commercial fishing (property is located in a commercial fishing zone) and it does not comply with Section 15.3 of the Shoreland Zoning Ordinance as it is larger than necessary. Selectman Chatterjee seconded the motion. Chairman Alexander requested that the Harbormaster resolve the moorings in this area. Selectman Haible questioned why deny the application instead of tabling it to which Chairman Alexander stated tabling leaves it too open ended. The motion to deny passed 2-1 (Selectman Haible opposed).
- **Gregory Merrill, Map 7, Lot 29, 201 Neil's Point:** Bill Wells, Code Enforcement Officer, presented the application and stated there were no adverse comments or letters from anyone regarding this proposal. Ben Wallace explained the proposal. Selectman Haible moved, seconded by Chairman Alexander to approve the application as it is an environmental improvement and does not interfere with the rights of others to the intertidal zone or with navigation; motion passed 3-0.
- **Michael Meader, Map 40, Lot 116, 117 Long Point Road:** Bill Wells, Code Enforcement Officer, presented the application and stated there were no adverse comments or letters from anyone regarding this proposal. Ben Wallace explained there is a strip of marsh grass in the area that caused the length to be greater to reach beyond it to the low tide. Chairman Alexander moved, seconded by Selectman Chatterjee to approve the application as it does not interfere with the rights of others to the intertidal zone or with navigation; motion passed 3-0.

**8. Authorization of the Warrant:** Kristi Eiane, Town Administrator, recommended approval of Warrants 10, 11 (calculated tonight as the parcels were awarded), 12 and Payroll Warrant 10. Selectman Chatterjee moved, seconded by Chairman Alexander to approve Warrants 10 for \$4,519.13, 11 for \$7,271.10 and 12 for \$794.83; motion passed 3-0. Chairman Alexander moved, seconded by Selectman Chatterjee to approve Payroll Warrant 10 in the amount of \$14,128.28; motion passed 3-0.

**9. Approval of the Minutes:** Selectman Haible noted that while she does not have changes to the February 15 minutes, she wanted to clarify that she incorrectly stated that the Town doesn't have growth zones during the February 15 meeting with John Hodge. Selectman Haible stated that while the Town's land use ordinances do

not currently contain growth zones, the Town's Comprehensive Plan does, which is the reason why growth zones are proposed at this year's Town Meeting. Selectman Chatterjee made corrections to the February 15 minutes. Chairman Alexander moved, seconded by Selectman Chatterjee to approve the minutes as amended; motion passed 3-0.

**10. Public Comment:** There were no public comments.

**11. Adjournment:** Selectman Chatterjee moved, seconded by Selectman Haible to adjourn. The meeting was adjourned by unanimous vote at 8:00 p.m.

Respectfully Submitted,

Terri-Lynn Sawyer